



# LEGISLATIVE DIGEST

HOUSE REPUBLICAN CONFERENCE | CHAIRMAN ADAM PUTNAM

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## H.R. 6633 – EMPLOYEE VERIFICATION AMENDMENT ACT OF 2008

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### FLOOR SITUATION

H.R. 6633 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Gabrielle Giffords (D-AZ) on July 30, 2008. The bill was referred to the Committee on the Judiciary, but was never considered.

H.R. 6633 is expected to be considered on the floor of the House on July 30, 2008.

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### SUMMARY

E-Verify Extension: The bill extends the termination date for the basic pilot employment eligibility confirmation program, known as E-Verify, for an additional five years.

Protection of Social Security Administration Programs: The bill requires the Secretary of Homeland Security and the Commissioner of the Social Security Administration (SSA) to enter an agreement to reimburse the SSA for costs associated with the E-Verify program. This provision also outlines certain processes in the case that an agreement is not reached by October 1 of any fiscal year, including Congressional notification.

GAO Studies: This legislation requires the GAO to study erroneous tentative nonconfirmations by the E-Verify Program, and to report to Congress with findings within two years.

The GAO must also study the effects of E-Verify on small entities (i.e. businesses). The study must include the costs of compliance with E-Verify and factors impacting small entities' enrollment in the program, among other factors. GAO must report to Congress within two years with its findings.

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### BACKGROUND

The E-Verify program is currently set to expire in November 2008. The program was established in 1997 as the Basic Pilot/Employment Eligibility Verification Program. E-Verify (formerly known as the Basic Pilot/Employment Eligibility Verification Program) is an online system operated jointly by the Department of Homeland Security and the Social Security Administration. E-Verify allows employers to check the work status of new hires online by comparing information from an employee's I-9 form against SSA and Department of Homeland Security databases.

*Note: The I-9 form is a U.S. Citizenship and Immigration Services document used by an employer to verify an employee's identity.*

More than 69,000 employers are enrolled in the program, including the U.S. House of Representatives. Over 4 million queries have been run so far in fiscal year 2008, according to DHS. E-Verify is a free and voluntary program for most employers, but a few states have mandated that their employers use it.

On June 9, 2008, President George W. Bush amended Executive Order 12989 to direct all Federal departments and agencies to require contractors to agree to use an electronic system to verify workers' employment eligibility. In response to this Executive Order, DHS Secretary Michael Chertoff designated E-Verify as the verification system of choice. [Department of Homeland Security - E-Verify](#)

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### COST

As of July 30, 2008, there is no Congressional Budget Office (CBO) cost estimate available for this legislation.

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### STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302.